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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF ARIZONA
14 TUCSON DIVISION

15 Center for Biological Diversity,

16 Plaintiff,

17 v.

18 United States Environmental Protection
19 Agency,

20 Defendant.

No. CV-25-00341-TUC-RM

**JOINT SETTLEMENT STATUS
REPORT**

21
22 Pursuant to the Court's August 29, 2025, and October 17, 2025 Orders, Docs. 14
23 and 16, the parties, by and through undersigned counsel, hereby submit their Joint
24 Settlement Status Report.
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1 1. In reviewing the parties' joint proposed scheduling order, Doc. 12, the
2 Court ordered the parties to file a joint settlement status report on October 29, 2025, and
3 every sixty days thereafter. Doc. 14.

4 2. On October 17, 2025, the Court denied Defendant's Motion for a Stay of
5 Case in Light of Lapse of Appropriations, Doc. 15; reset the deadline for a joint proposed
6 scheduling order setting forth proposed deadlines for filing dispositive motions; and
7 further ordered that all other provisions of the Court's August 29, 2025 Order remain in
8 full force and effect, which includes the October 29, 2025 joint settlement status report
9 deadline. Doc. 16.

10 3. As represented in the parties' joint proposed scheduling order, prior to the
11 lapse of federal appropriations, including appropriations for the Department of Justice
12 and the U.S. Environmental Protection Agency (EPA), the parties met and conferred
13 regarding EPA's planned schedule for completion of its response to Plaintiff's Freedom of
14 Information Act (FOIA) request, and Plaintiff indicated that EPA's proposed schedule was
15 acceptable at that time. Doc. 12 at 3. However, due to the lapse of appropriations, EPA's
16 FOIA production responding to Plaintiff's request is stalled.

17 4. The parties have not yet engaged in settlement discussions. The parties
18 intend to do so once Congress has restored appropriations and EPA resumes its FOIA
19 production. The Department does not know when Congress will restore funding.

20 DATED: October 29, 2025

21 Respectfully submitted,

22 /s/ Ryan Maher

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2025, the foregoing was electronically filed with the Court through the CM/ECF system, and that copies were served on counsel of record by operation of the CM/ECF system.

DATED: October 29, 2025

/s/ Ryan Maher

Ryan Maher